



DC COMMISSION ON THE ARTS & HUMANITIES

EXECUTIVE COMMISSION MEETING

THURSDAY, FEBRUARY 26, 2009

4:00 – 6:00 PM

GREATER WASHINGTON URBAN LEAGUE BOARDROOM

MINUTES

Commissioners

Anne Ashmore-Hudson, Chair
Marvin Bowser
Rhona Wolfe Freidman
Michael R. Sonnenreich
Judith Terra
Lavinia Wohlfarth

Staff

Gloria Nauden, Executive Director
Catherine Cleary, Grants Manager
Rachel Dickerson, Public Art Manager
Moshe Adams, Grants Program Assistant/Recorder

I. Call to Order:

Anne Ashmore-Hudson, Chair, called the meeting to order at 4:19 pm.

II. Approval of Minutes:

The Chair asked the Executive Committee to review the minutes from the Full Commission meeting on January 22, 2009 and the Executive Committee meeting on January 28, 2009.

Commissioner Terra suggested receiving the meeting minutes separately and earlier. The Legislative and Grants Manager, Catherine Cleary, recommended sending the minutes to the Commission as soon as the staff completed the minutes and they are approved by the Chair, rather than waiting until all of the material for the commissioners' review is compiled each month.

With the approval of the Executive Committee, the Chair tabled accepting the meeting minutes in the interest until the next Commission meeting.

III. Executive Director's Report:

The Executive Director, Gloria Nauden, noted the success of Poetry Out Loud, which is a Commission directed program for DC youth. She commended the program coordinator, Ebony Blanks, for this powerful event noting the participation of DC Education Chancellor Michele Rhee and the upcoming write up in the Washington Post.

The Executive Director mentioned the ongoing Strategic Master Plan. She stated that the process was going well and added that the continued input from individual Commissioners was essential to the completion of the Strategic Master Plan.

The Executive Director mentioned the success of the open house for the Public Art Master Plan that occurred at the Martin Luther King Library. The event went well and was attended by over 50 people including, Commissioners Wohlfarth and Bowser. The *Washington Post* reported on this event as well.

The Executive Director mentioned the new DC Commission on the Art and Humanities newsletter called Art News. She pointed out that the Executive Committee had a current phone list of staff in their Committee packets in addition to a calendar of events in an effort to increase communication.

The Executive Director talked about the current Oversight Hearing process. She stated that the Chair presented her testimony last year and that staff had been working on gathering information for the Chair. In addition, she noted the need for an agency procurement plan. She explained that the District of Columbia encouraged its agencies to use Certified Business Enterprises and Local Small Disadvantaged Business for a percentage of Commission work. The Chair asked about the 18 questions that Kwame Brown requested from the Commission. She has not yet received a copy of the questions and nor was she aware of their existence. The Chair requested a copy of the questions.

The Executive Director then mentioned a Human Resources issue that recently presented itself.

Commissioner Wohlfarth commended the work being done on the Public Art Master Plan. She stated that after the event, she had many requests for more information concerning the plan. She had a chance to explain the role and involvement of the Commissioners with respect to the Public Art Master Plan.

The Executive Director briefly mentioned the following as needing to be presented to the Executive Committee during the day's session:

Washington Project for the Arts
Mid Atlantic Arts Foundation

Commissioner Friedman requested the Commissioners receive info on the creative economy.

IV. Chair's Report:

The Chair attended Poetry Out Loud and stated that she enjoyed it thoroughly.

V. Personnel Committee Report:

As Chair of the Personnel Committee, Commissioner Wohlfarth is in the process of putting together a presentation to the full Commission for the March meeting. The

presentation will contain Commission guidelines. The intention of this document is the document is to have a way to evaluate staff members. Her intention is to have the Commission decide what goes into the document. Commissioners Royster and Sonnenreich are on the Committee.

VI. Finance Committee Report:

Commissioner Bowser presented the Finance Committee report and budget review. He questioned the reductions that the Commission was taking and the source of these reductions. The Executive Director responded that the numbers are not yet resolved. The Executive Director stated that she had a meeting tomorrow with Gurmeet Scoggins and would update the Commission on that meeting on the next business day or Monday at the latest. Commissioner Terra asked who would make the final decision. The Executive Director responded: the District of Columbia Chief Financial Officer and the Office of the City Administrator (OCA) would make the final decision as to what our baseline would be.

The Executive Director said that OCA was focused on the cuts and not the bottom line. She then stated that she has to explain the activities of the Commission and how the agency works. Commissioner Bowser pointed out that the Commission decided that Arts Eve be decreased to \$60,000 and the spreadsheet reflected an \$80,000 reduction.

The Executive Director stated that the OCA recommended cutting staff. The Executive Director was not amenable to this. She further explained that she would try to be creative in the reduction. The Capital budget may be able to be used to compensate for the reduction. The Executive Director suggested reclassifying the Arts Specialist position as an Arts Education Specialist. She stated that the Commission lost the Art Education position last year. Commissioner Friedman suggested giving the Arts Education position and duties to someone already on staff. Executive Director did not concur.

Commissioner Bowser explained that the Council passed legislation that the one-time grants should *actually* occur only one time. He noted that The Humanities Council of Washington DC received a passthrough in FY 2009. The Chair reminded the Committee that the Commission would have to decide on whether the passthroughs would be single or multiple payments.

Commissioner Bowser introduced the topic of maintenance to outside and public art and the costs involved. The Executive Director explained that this issue required additional and ongoing funding. Commissioner Bowser recommended to the Chair that staff create an action list surrounding these expenses. Commissioner Sonnenreich suggested that, in the future, maintenance costs be included in projects and project budgets. The Executive Director noted that she had already looked into this previous assessment done in 2007 for \$50,000. She went on to state that she worked with Rachel Dickerson and OCA to include the cost of maintenance and repairs in agreements in 2010 and budgets.

Commissioner Bowser showed the oversight hearing schedule to the Committee. The Chair requested that staff send her this schedule promptly. The Legislative and Grants

Manager mentioned that Varissa McMickens was willing to help the Commission with the upcoming hearing. Ms. McMickens offered to assist the Commission in their presentation as well as any other assistance. The Chair noted that Ms. McMickens would be able to provide data but not represent the Commission. She concluded that the Executive Director and the Chair had the sole responsibility of speaking on behalf of the Commission.

The O-type funding slide was reviewed by the Executive Committee. The Chair thought it would be advisable to have some consistency in how we approach this. She emphasized that the Commission must have consistency and standards in all affairs including formatting and procedure. The Executive Director noted that Lamont Harrell would be presenting per the Agenda.

Commissioner Bowser noted that the Commission should keep an eye on the bottom line. He cautioned the Executive Committee to make sure the bottom line was not cut too short. The Executive Director mentioned that more cuts could indeed come up.

The Committee would like an action plan from Rachel regarding Public Art and the expenditure of capital funds.

The Chair commended Commissioner Bowser on his diligence with the Financial Committee and his budget report.

VII. Vice Chair's Report:

Commissioner Friedman brought the Executive Committee's attention to the Mayor's Arts Awards. She stated that she wanted to bring a surprise presenter from New York City to the Awards: Mikhail Baryshnikov. She asked that the Commission would pay his airfare and hotel in order for him to be a part of the ceremony.

It was moved by Michael Sonnenreich and seconded by Commissioner Friedman that the Commission allocate \$2,500 from the Arts Education Projects line for Mr. Baryshnikov's airfare and hotel accommodations.

*	<u>Motion Carried</u>	<u>Unanimous</u>
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VIII. Pending Appeals:

The Executive Director noted that there were 4 appeals pending for today's review. The Legislative and Grants Manager explained the steps she has taken to research best practices from the NEA and other state arts agencies concerning appeals processes.

Commissioner Sonnenreich stated that he would help us create a 2 page appeal process. He added that he was hesitant to overturn any Panel decisions. Commissioner Sonnenreich suggested that the Commission create a panel of 3 Commissioners that will review appeals.

The Legislative and Grants Manager further explained the appeals process as it exists thus far.

Commissioner Sonnenreich detailed a 3 step process for appeals: 1) Staff review, 2) Commission panel review, 3) then onto the Commission if deemed passable by the Commission panel.

The Legislative and Grants Manager suggested the staff be able to stop the process immediately after NOT meeting the appeals requisites. Commissioner Friedman mentioned that she wanted the appeal process to be sent to the OAG to go on file with them.

Commissioner Bowser reviewed the appeal from the East of the River Boys and Girls Club in the DC Arts International program. The Chair noted that the head of the East of the River Boys and Girls Club has macular degeneration. Commissioner Friedman noted that their appeal did not meet the guidelines that were stated so far. Commissioner Wohlfarth noted that the application had many problems and not just one central issue. Commissioner Friedman asked that the Legislative and Grants Manager send her and Commissioner Sonnenreich the appeal process. She suggested that staff inform applicants seeking appeals that their “appeal is in the appellate process”. The Chair felt that the staff should decide what the staff wants the appeal process to be. Then, the staff should present that to the Chair and/or the Commission. The Chair stated that this is an administrative decision not a Commission issue and, as a result, the staff’s responsibility to solve.

There was no vote on any outstanding appeals.

IX. FY 2008 Outstanding Payments:

The Executive Director stated that there were outstanding payments from FY 2008 that would have to be paid from FY 2009 funds if allowable. She explained that these outstanding invoices had recently been discovered as part of the recent issue. The Executive Director then explained the history of the UPSTART program and how it is run. She pointed out a few additional small grants that were outstanding payments from FY 2008. Commissioner Sonnenreich asked how the Executive Director planned to honor these outstanding debts. The Executive Director cautioned that the Commission may not be allowed to pay a FY 2008 debt from FY 2009 funds. She recommended that O-type funds were a better option for the Commission. Commissioner Sonnenreich posed the question of how do we pay it out? The Executive Director restated that if allowable it would be paid out of 2009 UPSTART funds and per the Commission’s direction today.

Discussion:

The Chair asked if the Cultural Alliance been paid. The Executive Director did not know. The Legislative and Grants Manager stated that they have returned their grant letter. Commissioner Friedman asked if the Cultural Alliance paid UPSTART consultants or if the Commission paid them. The Executive Director responded that the Commission paid the consultants for workshops. The Executive Director then presented the Committee

It was moved by Commissioner Friedman and seconded by Commissioner Sonnenreich that the outstanding UPSTART payments from FY 2008 be paid from FY 2009 funds from UPSTART.

X. Mayor's Arts Awards:

Discussion:

It was moved by Commissioner Sonnenreich and seconded by Commissioner Friedman that the Commission pay for the actual Mayor's Arts trophies through Arts Education Projects funds.

XI. Meridian International Center:

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XII.

Commissioner Friedman suggested that Commissioner Sonnenreich leave the room for the presentation and discussion of the Washington National Opera.

The Legislative and Grants Manager reminded the commissioners that the Washington National Opera submitted its request for \$50,000 in support of this program at the January meeting. In response, the Commission asked them to create a marketing and outreach plan in order to address concerns about the potential impact of the program on all DC students. Following this introduction, Commissioner Sonnenreich excused himself and left the room.

Discussion:

The Chair mentioned that there were no standards to evaluate this project. The Legislative and Grants Manager added that the decision on the Washington National Opera would come from non-competitive funds. She suggested a standardized template for all future non-competitive requests. Commissioner Friedman requested that this template be posted on the website. Commissioner Wohlfarth stated that many non-competitive grants have come directly to the Commission for funding and the Washington National Opera's request was not out of the ordinary. Commissioner Terra expressed that she did not support funding the Washington National Opera.

It was moved by Commissioner Terra and seconded by Commissioner Wohlfarth that the Commission not fund the Washington National Opera.

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XIII

Rachel Dickerson recommended that the Commission increase the maximum amount that an individual can receive from \$10,000 maximum to \$25K and then from \$50,000 maximum to \$100K for organizations due to the limited applicant pool. She noted that it would not impact the overall budget line.

It was moved by Commissioner Friedman and seconded by Commissioner Wohlfarth that the commissioners approve the recommendation.

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XIV

The Executive Committee went into Executive Session at 5:55 PM.

The staff returned to the room at 6:26 PM.

XV.

The Vice Chair asked the Executive Director to discuss the recent human resources issue with the Commission's Staff Assistant/HR Advisor/Risk Management Coordinator, Curtia Ashton.

The Executive Director explained that the staff are going through a final report validation and payment issue. Deputy Mayor Neil Albert was able to send members of his staff over to the Commission's offices to assist the staff, particularly Ms. Ashton, with getting up to speed on the best practices for processing grants. On Friday, February 20, a stack of unpaid FY 2008 grant agreements totaling more than \$214,000 was discovered. The Executive Director commented that she was disappointed that Ms. Ashton did not take the opportunity, weeks earlier, to disclose the oversight and stated that her goal was to communicate what the error really meant to a business when the operating budget from the previous fiscal year was no longer in play.

The Executive Director continued by disclosing that on Tuesday, February 24, she was in a meeting and heard that Ms. Ashton was sick and being tended to by the Legislative and Grants Manager and the DC Creates Public Art Manager. Half an hour later she received a telephone call from the Deputy Mayor saying that Ms. Ashton's mother was in the building and asking to see Eric Scott from his office. The Executive Director sent the Legislative and Grants Manager to ask Ms. Ashton and her family to leave the building.

The Executive Director added that after the discovery of the unpaid grants she sat with Ms. Ashton and went through her inbox, at which time she found more unpaid FY 2008 grants and invoices. The Chair asked what day that was. The Executive Director responded that it was Tuesday and then that she was not sure which day it was. The Executive Director asked Ms. Ashton for any other items that she did not disclose. She is feeling uneasy because the damage is already so high and she asked Ms. Ashton to identify where other expenses might come in. She added that she worked with Ms. Ashton to better organize her desk and reviewed her process of approaching payments. The Executive Director put all the items in chronological order so that they could be processed accordingly.

Commissioner Terra asked where the supervision was. The Executive Director responded that Ms. Ashton said she told the former Deputy Director and the Executive Director about the issue but she could not produce an email saying that there were unpaid FY 2008 grants. She added that Ms. Ashton should have disclosed this no later than when the Deputy Mayor's staff was in the office and that Ms. Ashton commented to her that she did not feel organized and that she really had just stumbled upon the items.

The Vice Chair asked if everything was resolved. The Executive Director explained the process going forward, including updating the grants database to better track financial information and continuing to utilize Keona Pearson from the Deputy Mayor's staff.

The Vice Chair clarified that she meant was everything resolved between the Executive Director and Ms. Ashton. The Executive Director responded that she had not spoken to Ms. Ashton. The Vice Chair asked if Ms. Ashton would return to the office and she

responded that she hoped that she would. She noted Ms. Ashton's impression that she's doing 4/5 jobs, which the Executive Director, does not agree with, but noted that she was redistributing some of her responsibilities. The Executive Director did note, however, the increase in volume of grant agreements and added that the staff had not grown proportionately.

The Vice Chair asked about the Executive Director's relationship with Ms. Ashton. The Executive Director responded that what mattered moving forward was creating a process for completing Ms. Ashton's professional duties.

The Vice Chair closed by noting that the Executive Committee just wanted to hear what the Executive Director had to say about the situation.

The meeting was adjourned at 6:46.